

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

Jonathan Hamer ex. rel. UNITED §
STATES OF AMERICA, THE STATE OF §
CALIFORNIA, THE STATE OF DELAWARE, §
THE STATE OF FLORIDA, THE STATE OF §
GEORGIA, THE STATE OF HAWAII, THE §
STATE OF ILLINOIS, THE STATE OF INDIANA, §
THE STATE OF LOUISIANA, THE STATE OF §
MICHIGAN, THE STATE OF MONTANA, §
THE STATE OF NEVADA, THE STATE OF NEW §
JERSEY, THE STATE OF NEW MEXICO, THE §
STATE OF NEW YORK, THE STATE OF §
OKLAHOMA, THE STATE OF RHODE ISLAND, §
THE STATE OF TENNESSEE, THE STATE OF §
TEXAS, THE STATE OF WISCONSIN, THE §
COMMONWEALTH OF MASSACHUSETTS, §
THE COMMONWEALTH OF VIRGINIA, THE §
DISTRICT OF COLUMBIA, THE CITY OF §
CHICAGO, THE STATE OF CONNECTICUT, §
THE STATE OF COLORADO, THE STATE OF §
MARYLAND, THE STATE OF IOWA, and THE §
STATE OF WASHINGTON §

Plaintiffs §

v. §

BOND PHARMACY, INC. a DELAWARE §
CORPORATION, trading as ADVANCED §
INFUSION SOLUTIONS §

Defendant §

CIVIL ACTION NO. 3:23-cv-1472-G

JURY TRIAL DEMANDED

PLAINTIFF’S MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT

Plaintiff Jonathan Hamer (“Plaintiff”) moves for leave to file his second amended complaint against Defendants Bond Pharmacy, Inc. and would show as follows.

1. The original complaint and the first amended complaint in this action asserted qui tam claims under the False Claims Act and similar state statutes, as well as an individual

retaliation claim under Section 3730(h) of the False Claims Act and a similar claim under the Texas Medicaid Fraud Prevention Act. The original and first amended complaint also alleged facts supporting discrimination and retaliation claims under the Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964 and the Texas Labor Code.

2. By order entered August 23, 2024, this Court entered an order unsealing the complaint and first amended complaint.

3. Plaintiff does not intend to pursue his qui tam claims under the False Claims Act and similar state statutes but does intend to pursue his individual statutory claims. Plaintiff seeks leave to file a second amended complaint restating his claim under Section 3730(h) of the False Claims Act and formally asserting claims under Title VII at the Civil Rights Act of 1964 and the Texas Labor Code. The proposed second amended complaint is attached as Exhibit A.

4. Upon the granting of leave and the filing of the second amended complaint, Plaintiff intends to serve the second amended complaint upon Defendant.

WHEREFORE, Plaintiffs pray that he be granted leave to file his second amended complaint.

Respectfully submitted,

Kilgore & Kilgore, PLLC

/s/ Robert E. Goodman, Jr.

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